



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/673,729

09/29/2003

Nobuyuki Hara

7217/70906

1939

7590

02/22/2005

JAY H. MAIOLI
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, NY 10036

EXAMINER

MAHONEY, CHRISTOPHER E

ART UNIT

PAPER NUMBER

2851

DATE MAILED: 02/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/673,729

Applicant(s)

HARA ET AL

Examiner

Christopher E Mahoney

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 and 9-11 is/are rejected.
- 7) ☒ Claim(s) 2-8 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

Claims 3 and 9 are objected to because of the following informalities:

Claim 3 depends from claim 1 but recites it as “claim1”. There should be a gap between the word and the number. The February 17, 2004 amendment corrected this minor informality in all the claims except claim 3.

Claim 9 recites distribution means for distributing cooling air in quantities that correspond to respective different temperatures of a plurality of said optical components. However there is only one optical component recited previously in claim 9 so it is unclear what other optical components are referred to. The claim is also incomplete because, even if there were other optical components, it is not clear how the distribution means may correspond to the different temperatures without knowledge of the temperatures (i.e. either by sensor or by known prerecorded averages).

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2851

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Ono (U.S. Patent No. 6,533,421). Ono teaches a projection type display device, comprising: a light source (2, lamp to serve as light source; col. 1, lines 26-27, col. 4, line 24); an optical system for modulating illumination light (liquid crystal sections, col. 1, lines 28-29) output from said light source based on input image information; a power source section (51 and/or inherent for a functional HID lamp) for supplying electric power for driving at least said light source; a box (103) for housing said optical system, said light source and said power source section; an exhaust means 108 for exhausting air within said box by using an axial fan 52; and a cover member (48 or 102) for covering at least an upper surface of said box; wherein an outlet of said exhaust means is provided in a bottom side of said box (see figures 5 and 8).

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 9-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Koyama (U.S. Patent No. 6,736,513). Koyama teaches a projection type display device in which illumination light is modulated and projected based on input image data, said projection type display device comprising: a sirocco fan 22a-c directly connected to a frame for holding an optical component 10a-c which has temperature increased by absorbing said illumination light, and discharging

Art Unit: 2851

cooling air taken from outside towards said optical component; and a distribution means 51a-c for distributing said cooling air in quantities which correspond to respective different temperatures (measured by sensors 36a-c) that a plurality of said optical components. The distribution means includes regulation means (sensors 36, control circuit, drive circuit col. 5, lines 46-59) for regulating the cooling air which flows towards the optical component(s). As seen in figure 2 body element 19 contains all of the internal elements of the projector. The applicant is directed to also review figures 1-4 and 6 as well as col. 5, lines 46-59 and col. 6, lines 8-41.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chimura (U.S. Pub. No. 2003/0202160) in view of Hashimukai (U.S. Patent No. 5,993,008). Chimura teaches a light source 53; a power source section 52 for supplying electric power for driving at least said light source; a box for housing said optical system 1, said light source and said power source section; an exhaust means for exhausting air within said box by using an axial fan 9; and a cover member for covering at least an upper surface of said box 21; wherein an outlet of said exhaust means 45 (lower depicted in figures 8B & 8C) is provided in a bottom side of said box. Chimura does not teach an optical system for modulating illumination light output from said light source based on input image information. Hashimukai teaches that it was known to use a

Art Unit: 2851

modulating system (image display using liquid crystal (c) col. 1, line 39). It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the features taught by Hashimukai for the purpose of providing moving pictures.

Allowable Subject Matter

Claims 2-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

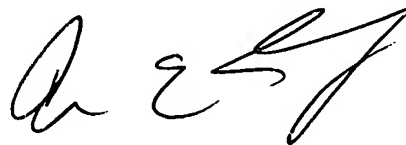
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher E. Mahoney whose telephone number is (571) 272-2122. The examiner can normally be reached on 8:30AM-5PM, Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2851

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'C. E. Mahoney', is positioned above the printed name.

Christopher E Mahoney
Primary Examiner
Art Unit 2851